

**ORDINANCE AMENDING ORDINANCE NO. 46-22  
REGARDING THE NON-EXCLUSIVE FRANCHISE GRANTED THEREUNDER  
TO OPERATE A TAXICAB SERVICE IN THE CITY OF FORT SMITH**

**WHEREAS**, Ordinance No. 38-20, adopted May 19, 2020, granted a non-exclusive franchise to Jerry Burnett and Kyle Empsall d/b/a Payless Taxi, LLC to operate a taxicab service in the city of Fort Smith for a period of two (2) years; and

**WHEREAS**, Ordinance No. 46-22, adopted June 21, 2022, extended the aforementioned non-exclusive franchise for a period of five (5) years beginning on July 1, 2023 and expiring on June 30, 2027; and

**WHEREAS**, on May 23, 2023, the Arkansas Secretary of State issued articles of dissolution for Payless Taxi, LLC, and, on the same day, the Arkansas Secretary of State issued a certificate of organization for Payless Taxi, LLC, with Kyle Empsall as the sole member.


**BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF FORT SMITH, ARKANSAS, THAT:**


**SECTION 1:** Ordinance No. 46-22 is hereby amended such that the non-exclusive franchise granted thereunder shall now be held by and is in the name of Payless Taxi, LLC.

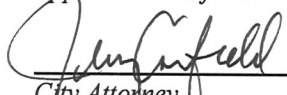
**SECTION 2:** Three (3) copies of this ordinance have been on file in the Office of the City Clerk for inspection and review by the public prior to passage of this Ordinance.

**SECTION 3:** It is hereby determined that the non-exclusive franchise authorized per Ordinance No. 38-20 and extended per Ordinance No. 46-22 was granted to provide for the transportation of residents, which includes elderly and handicapped citizens; therefore, in order to preserve the health, safety, and welfare of the city of Fort Smith and its inhabitants, an emergency is declared and this Ordinance shall be in full force and effective immediately upon passage.

**PASSED AND APPROVED** this 1<sup>st</sup> day of August, 2023.

**APPROVED:**   
Vice Mayor Jarred Rego

**ATTEST:**  
  
Sherril Gard  
City Clerk

Approved as to form:  
  
City Attorney  
Publish One Time